

New law authorizes the fire marshal, upon reasonable suspicion that certain violations have occurred or are about to occur, to swear out, and upon issuance by a district judge or magistrate, to execute a search warrant.

New law permits the court to issue search warrants on application of the fire marshal which warrant shall authorize the search for and seizure of any thing within the territorial jurisdiction of the court in aid of the enforcement of the laws under the supervision, enforcement, licensure, or regulation of the fire marshal.

New law requires the search warrant to be directed to the fire marshal or his designated representative, to describe the premises to be searched, requires proper return, and requires the seized property to be under the custody and control of the fire marshal or his representative.

New law authorizes the fire marshal to request the issuance of subpoenas to compel the attendance of witnesses and the production of documents, papers, books, records, and other evidence over which he has jurisdiction.

New law authorizes the imposition of the sanctions available by law to the court issuing the subpoena for refusal to comply with a subpoena or a subpoena duces tecum.

Prior law authorized the fire marshal, the first assistant fire marshal, each deputy fire marshal, certified local authorities, and state or municipal arson investigators to have the power to arrest individuals suspected of violating specified criminal statutes. New law deletes prior law and requires the fire marshal to issue a commission to any state arson investigator who qualifies as post-certified to carry firearms allowing him to carry and use firearms and to arrest individuals suspected of violating specified existing law criminal statutes. New law further allows local governing authorities to issue a commission to any local arson investigator allowing him to carry and use firearms and to arrest individuals suspected of violating specified existing law criminal statutes.